

## REMARKS

The cover sheet for the May 20, 2002 Office Action indicated that the certified copy of the priority document, on which Applicant's rely for convention priority under 35 U.S.C. §119, had not been received. Attached hereto is a copy of the return postcard indicating receipt of the certified copy of the German application at the United States Patent and Trademark Office on September 13, 1999. Moreover, the transmittal sheet which accompanied the filing of the original application indicated, at item 12, that a copy of German Application No. 19843248 was submitted therewith. The Examiner is therefore requested to again review the Patent and Trademark Office file to ascertain whether this priority document may have been overlooked in the file.

The Office Action dated May 10, 2002 was accompanied by Form PTO-948 noting informalities in the informal drawings which were filed with the original application. Upon receiving an indication of allowable subject matter, formal drawings complying in all respects with 37 C.F.R. §1.84 will be submitted.

As requested, the specification has been reviewed, and typographical errors therein have been corrected. No new matter is added thereby.

Claims 1-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Le Carpentier in view of Liechti et al. Claims 11-20 also were rejected under 35 U.S.C. §103(a) as being unpatentable over Le Carpentier in view of Liechti et al.

These rejections are respectfully traversed for the following reasons. As to independent claim 1, the Examiner relied only on the Le Carpentier reference, citing the language at column 2, lines 17-66 as allegedly teaching all of the method steps of independent claim 1, as well as method steps in certain of the dependent claims.

The language in this passage in the Le Carpentier reference, however, merely describes a general procedure for data communication between a data center and a number of local stations. There is nothing in this passage in the Le Carpentier reference which describes any details as to what takes place at the data center and/or at the local stations during the course of such a communication procedure.

The method of claim 1 of the present application is to allow a data center to transmit service data to a service device after an analysis at the data center of a status report from the service device which informs the data center as to the memory occupancy by the service data in the memory of the service device. Based on this status report, and based on service data available at the data center, the data center provides recommendations to the service device with respect to a future status of the memory occupancy in the service device. These recommendations are communicated from the data center to the service device and, at the service device, a feasibility check is undertaken as to these recommendations. The service data from the data center are then loaded in the service device according to one of the recommendations.

This method therefore allows the data center to be sure that when new service data are transmitted to the service device, the memory occupancy of the service device is sufficient and suitable for storing the new service data. This is accomplished by the data center analyzing the memory occupancy status report received from the service device and making recommendations to the service device. Assuming that at least one of these recommendations is feasible within the service device, the service device then loads the new service data according to that recommendation.

No such procedure is disclosed or suggested in the passage cited by the Examiner in the Le Carpentier reference, or in any other portion of the Le Carpentier reference. There is no discussion whatsoever in the passage in Le Carpentier cited by the Examiner, or anywhere else in the Le Carpentier reference, to undertake any analysis of any type as to memory occupancy and to provide recommendations from the data center to a service device based on that analysis, and then to load service data according to such a recommendation. As noted above, the passage in Le Carpentier cited by the Examiner merely sets forth the basic steps in a data exchange between the data center and the local stations, but does not provide any information as to any sort of analysis of transmitted data which is undertaken at either end of the communication. The Examiner has merely repeated the language from claim 1 followed by a repeated citation of this same passage in Le Carpentier, but has not identified any specific teaching in the Le Carpentier reference which describes the aforementioned analysis and recommendation procedure of claim 1.

In view of the complete absence of any teaching or suggestion to transmit a status report relating to memory occupancy and/or to analyze that status report to provide recommendations for future storage of service data and/or to then load the transmitted service data according to one of those recommendations, the subject matter of independent method claim 1 would not have been obvious to a person of ordinary skill in the art based on the teachings of Le Carpentier.

As noted above, the Le Carpentier reference by itself was used as the basis for rejecting claim 1, and the Liechti reference was relied on only for supporting the rejection of certain of the dependent claims. In view of the lack of substantiation for the rejection of independent method claim 1, claims 2-10 depending therefrom are

submitted to be patentable over the teachings of Le Carpentier, even if modified in accordance with the teachings of Liechti et al. for the same reasons discussed above in connection with claim 1. Claims 2-10 add further steps to the novel and non-obvious method of claim 1, and are therefore patentable over the teachings of Le Carpentier and Liechti et al. for the same reasons discussed above in connection with claim 1.

The same arguments apply to apparatus claims 11-20, which respectively track method claims 1-10. Again, as to independent claim 11, the Examiner has merely repeatedly cited the passage at column 2, lines 17-66 of the Le Carpentier reference after every claim element of claim 11, but has not identified any teachings in that passage corresponding specifically to the aforementioned novel features of claim 11, which correspond to those of method claim 1. Claims 11-20, therefore, would not have been obvious to a person of ordinary skill in the art based on the teachings of Le Carpentier, even if modified in accordance with the further teachings of Liechti et al.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

Submitted by,

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## **VERSION WITH MARKINGS TO SHOW CHANGES MADE**

### **IN THE SPECIFICATION**

Please amend the paragraph beginning at page 4, line 16 as follows:

An object of the present invention is to provide a method for data input into a service device in order to shorten the conversion process to enter other service data. Another object is to provide a suitable arrangement for fully automatic implementation of the method. The method and apparatus should allow a postage computer [with] to use a fee schedule table substantially contemporaneously with the communication of a new postage fee schedule table [was communicated] from the mail carrier to a data center. The method and apparatus also should allow a postage fee schedule table [is] to be communicated on demand to the service device in order to be able to load this into corresponding memories of the postage computer. The method should be usable by different service devices to enable a short conversion process onto a new postage fee schedule table independently of the device type.

Please amend the paragraph beginning at page 5, line 4 as follows:

The above objects are achieved in accordance with the principles of the present invention in a method and apparatus for data input into a service device wherein service data are loaded on demand in a communication between the service [data] device and a data center remote therefrom, wherein the service device formulates a status report identifying current memory occupancy of service data and transmits the status report to the data center, wherein the data center formulates recommendations for a future memory occupancy state in the service device dependent on the service data at the data center which will be transmitted to the

service device, and these recommendations are transmitted in a message from the data center to the service device, and wherein the service device, upon receipt of the message, checks the recommendations therein for feasibility in the service device, and wherein the service data are subsequently transmitted from the data center to the service device and loaded therein according to one of the recommendations.

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